

Administration of Joseph R. Biden, Jr., 2022

Remarks Prior to a Meeting With Senate Judiciary Committee Chair Richard J. Durbin and Ranking Member Charles E. Grassley To Discuss the Forthcoming Supreme Court Vacancy

February 1, 2022

The President. Look, I invited—we're different parties, but two good friends down here. We've done an awful lot of Supreme Court Justices together, Senator Grassley and I, as well as Senator Durbin. And we've worked together on a lot of court nominations overall, but particularly Supreme Court nominees.

And selecting a Justice is one of the President's most serious responsibilities. And as I always said—and I went back and looked at a lot of the opening statements I made—apparently, Dick, I've presided over more Supreme Court Justices than anybody around who's still in Congress or associated with the Government, which is—kind of means we must be beyond 60, Chuck. I'm not sure what it is, but we're a little older. But——

Ranking Member Grassley. For me, it'd be 15 or 16.

The President. [Laughter] Yes, well, and I started way back early on in the early seventies.

At any rate, what we're going to do, as I've said before—and I went back and looked at some of the opening statements that I made for Justices over the years that, you know, it's—the Constitution says advise and consent—"advice and consent." And I'm serious when I say it: that I want the advice of the Senate as well as the consent, if we can arrive on who the nominee should be.

And you know, it's—there's always a renewed national debate every time we nominate—any President nominates a Justice, because the Constitution is always evolving slightly in terms of additional rights or curtailing rights, et cetera. And it's always an issue. And there's several schools of thought in terms of judicial philosophy. And we'll see.

But the fact is that I'm looking for someone who I can—this is not a static issue; it flows back and forth. What I'm looking for is a candidate with character; with the qualities of a judge, in terms of being courteous to the folks before them and treating people with respect; as well as a judicial philosophy that is more one that suggests that there are unenumerated rights in the Constitution and all the amendments mean something, including the Ninth Amendment.

And—but I intend to take this decision—to make this decision and get it to my colleagues by the end of the month. That's my hope. And I'm looking forward to their advice in how to proceed and how the hearings will be conducted and the like.

So thank you very much. We're going to get a chance to talk. I want to hear from them today.

Thank you.

[At this point, several reporters shouted questions at once as they were escorted from the room.]

Q. Mr. President, what do you say to Republicans who say this is affirmative action? What do you say to Republicans who say this is affirmative action?

NOTE: The President spoke at 1:57 p.m. in the Oval Office at the White House. Vice President Kamala D. Harris also attended the meeting.

Categories: Addresses and Remarks : Supreme Court vacancy, meeting with Senate Judiciary Chair Sen. Richard J. Durbin and Ranking Member Sen. Charles E. Grassley.

Names: Durbin, Richard J.; Grassley, Charles E.

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